

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)	
)	Case No.: 10-33445
GREATER SALEM CHURCH)	Chapter 11
)	
)	
TAX ID #: 56-1107440)	
)	
Debtor(s))	

EMERGENCY MOTION FOR THE APPOINTMENT OF A CHAPTER 11 TRUSTEE

The undersigned, United States Bankruptcy Administrator for the Western District of North Carolina, moves the Court for the immediate appointment of a Chapter 11 Trustee pursuant to 11 U.S.C. §1104(a) and says:

1. This is a Chapter 11 proceeding in which a voluntary petition was filed on November 19, 2010.
2. On December 22, 2010, a meeting pursuant to 11 U.S.C. § 341 was held. Following that meeting, on December 23, 2010, Ann Dornblazer of the Bankruptcy Administrator's Office sent an email to the Debtor's attorney requesting certain amendments, documents and explanations. Most of the requested items were to be supplied within 10 days of the date of the email or by January 2, 2011. The Debtor has failed to comply with the request. A copy of the email is attached hereto as Exhibit A and incorporated by reference.
3. Upon information and belief, the Debtor's operations have been controlled for many years by Anthony Jinwright and his wife, Harriet Jinwright (the "Jinwrights"). The Jinwrights have been convicted and sentenced in the United States District Court for the Western District of North Carolina. Mr. Jinwright was incarcerated at the time of the filing of the Debtor's petition in bankruptcy and remains incarcerated. Mrs. Jinwright was not incarcerated at the time of the filing of the Debtor's petition and is expected to report to prison in April of 2011.
4. Since the filing of the Debtor's petition, the Debtor has continued to pay either one or both of the Jinwrights.
5. According to the Debtor's bylaws, the Senior Pastor is the "Chairman of the Board of Directors" and the "Chief Executive Officer of the Church." Upon information and belief, one of the Jinwrights continues to serve as Senior Pastor. It appears that the Debtor's bylaws require a congregational vote to remove a Senior Pastor.

6. Upon information and belief, Harriet Jinwright has agreed to resign, effective January 22, 2011.
7. Upon information and belief, one or both of the Jinwrights continue to control the financial management of the Debtor. It is inappropriate for the chairman of the board of directors and the chief executive officer of this Debtor, to be a felon convicted of a crime involving fraud or dishonesty. Title 11, United States Code, Section 1104(e) requires:

(e) The United States Trustee¹ shall move for the appointment of a trustee under subsection (a) if there are reasonable grounds to suspect that current members of the governing body of the debtor, the debtor's chief executive or chief financial officer, or members of the governing body who selected the debtor's chief executive or chief financial officer, participated in actual fraud, dishonesty, or criminal conduct in the management of the debtor or the debtor's public financial reporting.

8. The Debtor's governing body who selected the Debtor's chief executive officer (the congregation) has been given ample opportunity to remove Mr. and/or Mrs. Jinwright as Senior Pastor of the Debtor and has failed to do so. Mrs. Jinwright's agreement to resign at a future date does not negate the necessity for the immediate appointment of a Chapter 11 trustee. Title 11, United States Code, Section 1104(a)(1) states:

(a) At any time after the commencement of the case but before confirmation of a plan, on request of a party in interest or the United States trustee, and after notice and a hearing, the court shall order the appointment of a trustee—

(1) for cause, including fraud, dishonesty, incompetence, or gross mismanagement of the affairs of the debtor by current management, either before or after the commencement of the case, or similar cause, . . .

¹ In the Western District of North Carolina, the United States Trustee's duties are performed by the United States Bankruptcy Administrator.

Wherefore, the undersigned requests that the Court conduct an emergency hearing on this Motion, that a Chapter 11 trustee be appointed and for such other and further relief as the Court deems just and proper.

/s/ Linda W. Simpson

Linda W. Simpson

United States Bankruptcy Administrator

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NOTICE OF HEARING

TAKE NOTICE that the United States Bankruptcy Administrator has filed An Emergency Motion for the Appointment of a Chapter 11 Trustee.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to appoint a Chapter 11 Trustee or if you want the Court to consider your views on the Motion, then you or your attorney must:

Attend the hearing scheduled to be held on **Friday, January 7, 2011, at 9:30 a.m.** in Courtroom 126, United States Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina.

If you or your attorney do not appear at the hearing as set forth above, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: 1/5/11.

/s/ Linda W. Simpson
Linda W. Simpson
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CERTIFICATE OF SERVICE

The undersigned certifies that the ***Emergency Motion to Appoint Chapter 11 Trustee and Notice of Hearing*** was served upon the party(s) to this action listed below by depositing a copy of the same, enclosed in a first-class postpaid, properly addressed wrapper, in a Post Office or official depository under the exclusive care and custody of the United States Postal Service and/or by means of the Electronic Filing System of the Bankruptcy Court on January 5, 2011.

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/s/ Linda W. Simpson
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